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December 13, 1976

The Honorable William W. Keller  
Belknap County Superior Court  
Belknap County Courthouse  
613 Main Street  
Laconia, NH 03246

Dear Mr. Chief Justice:

By letter dated March 29, 1976 you have asked our opinion whether the amended footnote to the appropriation for salaries of court stenographers contained in the operating budget for 1975 (Chapter 505, Laws of 1975) provides a solution for a problem identified by our opinion of October 26, 1973. That opinion stated that, absent legislative intent to the contrary, the reimbursement which the State was to receive from the counties under RSA 519:29 for the "salaries" of court stenographers did not include the cost of fringe benefits provided by the State. The budget footnote to which you refer was changed in 1975 to read as follows:

The funds in this appropriation are for court stenographers which may be increased with approval of governor and council provided the counties are billed for total expenditures including all fringe benefits. [Emphasis added.] Chapter 505, Laws of 1975.

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It is our opinion that this amendment provides a sufficient indication of the Legislature's desire that under the operating budget for 1975, and RSA 519:29, the counties are to be responsible for reimbursing the State for "salaries" of court stenographers and all fringe benefits.

Yours respectfully,

David H. Souter  
Attorney General

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DJC/mb